

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/720,140

Attorney Docket No.: Q78533

AMENDMENTS TO THE DRAWINGS

Applicant is submitting herewith one (1) sheet of replacement drawings, which includes FIG. 8. FIG. 8 has been amended to include the legend --Prior Art--.

Attachment: Replacement Sheet

REMARKS

Claims 1, 3-5 and 7 are all the claims pending in the application. Claims 1, 3-5 and 7 presently stand rejected.

The Examiner has objected to the drawing figures. Specifically, FIG. 8 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. Applicant amends FIG. 8 accordingly.

Claims 1, 3-5 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wegner (6,082,158).

Applicant thanks the Examiner for the courtesies extended during the interview of October 15, 2007.

Analysis

Turning to the substance of the rejection, the Examiner maintains that Wegner discloses all the features of claim 1. In particular, the Examiner finds that at the instant of unlocking and locking, Wegner has a corresponding instant position. The Examiner also finds that there is no structural reference to clarify exactly how a first position and a second position are being defined relative to the claimed elements.

However, claim 1 recites that the first position corresponds to an unlocked position, and that the protrusion is in a first halting position at one end of the allowing means, and that the first halting position corresponds to the first position (i.e., unlocked position). Thus, the first position is defined by the moment when the protrusion is at one end of the allowing means, and therefore, there is a structural reference for the first and second positions.

Wegner

Wegner is directed to a cam mechanism for allowing or not allowing a door handle to have the ability to lock or unlock a door (col. 1, lines 24-44; col. 2, lines 56-67). Referring to FIG. 5, four positions are provided for the cam 16 (which is what the countered disk 30 substitutes in FIG. 13): a central lock position (ZV) in which the door only opens from the inside, an anti-theft position (DS) in which the door cannot be opened from the inside or outside, a child safety position (KISI) in which the door can be opened from the outside only, and a central unlock position (ZE) in which the door can be opened from both the inside and outside (col. 3, line 66 – col. 4, line 16).

The position of the cam 16 is controlled by an electric motor (col. 3, lines 48-49) according to the desired locking conditions described above. For instance, if one desires to prevent a child from unlocking the door from the inside, the cam is positioned as shown in FIG. 9 (col. 4, lines 48-52).

FIG. 13 allows for the contoured disk 30 to be positioned in a discrete set of positions, the same as the cam 16. Instead of levers 13, 14 being actuated by the cam 16, the levers 36, 38 are actuated by the contoured disk 30 depending on the rotative position of the disk 30 (col. 5, lines 36-39; col. 6, lines 6-8).

Thus, the cam mechanism in Wegner is directed to providing 4 distinct locking conditions, so that the door handles can be prevented from opening the doors according to the position of the contoured disk 30 (col. 5, lines 49-52; col. 6, lines 14-20).

Unlike the detailed embodiment using the cam shaft 16, Wegner fails to provide a description of which positions on the countered disk correspond to each locking condition with respect to the embodiment of FIG. 13.

Comparison of Wegner to Present Invention:

Although Wegner does not provide a very detailed description of embodiment FIG. 13, it does indicate that it works the same as the other embodiment. Thus, actuation of the lever 36, 38 (via a door handle by an operator), results in an ability to open the door, or not open the door, depending on the position set by the motor for the contoured disk 30.

The present invention is directed to a mechanism for locking and unlocking doors with manual and electronic control. The motor causes the rotation of the rotor (12) which causes the protrusion (20) to move in accordance with a guide mechanism. The motor causes the rotor to rotate a full 360 degrees. One complete rotation of the rotor causes the protrusion to move between the first and second halting positions, each of which respectively corresponds to a first and second position of the lever (i.e., an unlocked and locked position of the locking member). (See page 15 of Specification, for example.) Thus, one complete rotation of the rotor causes the lever to switch from a first position to a second position, and vice versa. That is, before rotation of the rotor, the lever is positioned in one of the first position and the second position, and upon completion of one full 360° rotation of the rotor, the lever rests in an other one of the first position and the second position.

In contrast, Wegner is not capable of this feature. There is no teaching or suggestion that a complete rotation of the contoured disk 30 would alter the final position of the protrusion. Instead, the protrusion would move about the allowing portion 34 as the disk is rotated, until both the protrusion and the disk return to their original position after a complete 360 degree turn. Moreover, there is certainly no teaching or suggestion that a complete rotation of the contoured disk would change the lever from a locked to an unlocked position. Rather, a complete rotation of the contoured disk would cause a series of different locking conditions to exist (see FIG. 5)

but at the conclusion of the full rotation, the same original locking condition would be present. That is, if the lever was in a position corresponding to ZV, a complete rotation of the contoured disk would result in the lever being position in the ZV position, and thus not alter the locking condition of the cam mechanism at all; that is, a complete rotation of the contoured disk would leave the cam mechanism in the same locking condition as before the rotation was started.

As support for this analysis of Wegner, it is noted that FIG. 5 illustrates the four conditions being reached by a $\frac{1}{4}$ revolution of the cam, and thus a full revolution would end at the first locking condition. Further, the shape of the guide mechanism in Wegner does not provide the capability of achieving a change in the locking condition upon a full revolution of the contoured disk. There is no structure, explicitly or implicitly, that would allow the protrusion 37 to be in a final position that is different from the original position upon one full revolution of the disk 30. Rather, it appears that the intention of Wegner is to allow for different discrete positions of the contoured disk to provide different locking conditions (as discussed above), and thus, when the contoured disk is returned to its original position, the same locking condition would exist.

In view of the foregoing, Wegner does not teach or suggest a structure which is capable of achieving the claimed invention according to amended claim 1.

The remaining dependent claims should be patentable for at least the same reasons as claim 1, by virtue of their dependency therefrom.

In addition, claim 7 is amended to clarify the location of the output shaft 131 on the lever 13. (See page 10 of Specification.) Wegner fails to disclose this structure, and thus, claim 7 is patentable.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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